

**Application No.:** 10/522,078  
**Filing Date:** July 5, 2005

#### REMARKS

Claims 1-5, 7-9, 11-12, and 14-15 stand rejected. The previously pending claims have been amended for clarity and new claims 16-19 have been added. The amendments and new claims draw support at least from the originally filed claims. Claims 1-5, 7-9, 11-12, and 14-19 remain pending in the application and are presented for examination in view of the amendments set forth above and the remarks set forth below.

#### Discussion of the Specification

The Examiner requested that the reference to the claims on page 5, line 37 of the specification be removed. Applicant has amended the specification to remove the reference to the claims.

The Examiner suggested that the specification of a utility application should include a number of section headings. Applicant has amended the specification as above to include certain section headings.

#### Discussion of the Claim Objections

The Examiner objected to Claims 1 and 2 because of certain informalities. Applicant has amended the claims to overcome the objections.

#### Discussion of Rejection under 35 U.S.C. § 112, ¶ 1

The Examiner rejected Claim 5 under 35 U.S.C. § 112, first paragraph, for claiming two embodiments in the same claim. Claim 5 has been amended rendering further argument moot.

#### Discussion of Rejection under 35 U.S.C. § 112, ¶ 2

The Examiner rejected Claims 1, 2, 5, 7, 9, and 14 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Applicant has amended the claims to overcome the stated rejections.

Discussion of Rejection under 35 U.S.C. § 102(b)

The Examiner rejected Claims 1-5 and 7-9 under 35 U.S.C. § 102(b) as being anticipated by Johnson et al. (U.S. Patent No. 5,056,392). Applicant respectfully submits that, as stated in the MPEP at § 2131, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) and that “[t]he elements must be arranged as required by the claim” *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Applicant further submits that each and every element of Claim 1 is not found in Johnson.

Claim 1 recites, *inter alia*, “at least one guide element configured to guide the stripping element.” Johnson fails to disclose a guide element configured to guide the stripping element. Johnson discloses a “punch assembly includ[ing] a cylindrical punch housing or sleeve 48” (Johnson at c. 3, ll. 63-65) in which “the operating end of the punch or punch point 46 is guided by means of a removable stripper plate 74” (Johnson at c. 4, ll. 33-35) and “the stripper plate 74 will not only guide the punch longitudinally but will also maintain its proper angular position ... about the axis of the punch by placing the orientation pin 74c in one of the slots 76b” (Johnson at c. 5, ll. 12-16). Johnson further discloses, “[t]o hold the stripper plate in place, the locking ring is undercut with centrally extending flanges 109” (Johnson at c. 5, ll. 17-18).

The Examiner contends that the “punch housing or sleeve 48” correlates with the claimed “guide element configured to guide the stripping element.” Applicant respectfully submits that Johnson discloses that the stripper plate is held in place with respect to the sleeve, and thus the sleeve of Johnson is not “configured to guide the stripping element.”

Claim 1 further recites “the guide element comprises a hole or opening with a cross-section substantially similar to that of the stripping element.” Johnson fails to disclose a guide element comprising a hole with a cross-section substantially similar to that of the stripping element. Johnson discloses that the “stripper plate 74 is circular and ... is provided with at least one extension but in this case four extensions in the form of laterally projecting pins 74d” (Johnson at c. 4, ll. 35-41). In contrast, the “boss 76 is also provided with a plurality of circumferentially spaced radial slots 76b, in this case there being four diametrically opposed pairs arranged at equal

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intervals” (Johnson at c. 5, ll. 2-5). The boss, having eight slots, does not comprise a hole or opening with a cross-section substantially similar to that of the stripping element.

#### Dependent claims

Claims 2-19 depend from base Claim 1 and further define additional technical features of the present invention. In view of the patentability of their base claims, and in further view of their additional technical features, Applicant respectfully submits that the dependent claims are patentable over the prior art of record. Further, Applicant does not necessarily agree with the characterizations of the prior art made by the Examiner in rejecting the dependent claims.

#### No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

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Respectfully submitted,

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AMEND

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